

REMARKS

Claims 1-10, 20-26, and 30-33 are currently pending in the present application, with Claims 5, 7, and 9 being amended.

In a first Restriction Requirement dated August 8, 2005, the Examiner divided the filed Claims 1-33 into four groups of claims under 35 U.S.C. § 121. Specifically, the Examiner indicated that Groups II, III, and IV are related to Group I as subcombination/combination claims. In particular, the Examiner broke down the group of claims as follows:

Group I: Claims 1-6, 10-18, 20-24, and 29-31

Group II: Claims 7, 8, 25, and 32

Group III: Claims 9, 10, 26, and 33

Group IV: Claims 19, 27, and 28

In response to the first restriction requirement, Applicants amended and canceled certain claims, and respectfully submitted that the restriction requirement by the Examiner became moot in view of the amendments. In response, the Examiner issued a second restriction requirement, indicating that the Applicants failed to elect one of the originally grouping of claims.

Applicants respectfully submit that the currently pending claims, as amended by the previous response, makes moot the first restriction requirement issued by the Examiner, or at the very least requires a revised restriction requirement by the Examiner. Applicants respectfully submit that Claims 1-10 and 20, 21 are directed to a digital mixing apparatus, whereas Claims 22-26 and 30-33 are directed to methods of digital mixing.

If it would further advance the prosecution of the present application, Applicants request the Examiner to contact the undersigned attorney at (213) 892-5587 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant(s) petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. 393032029900.

Dated: February 8, 2006

Respectfully submitted,

By 

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